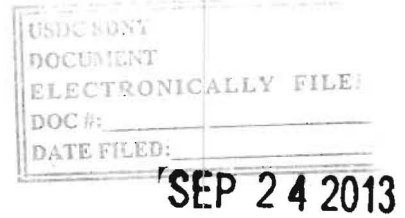


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
:
ATLANTIC FORWARDING, LTD., :
Plaintiff, :
:
-against- :
:
MSL INTERNATIONAL, L.L.C., :
Defendant. :
:
-----X

13 Civ. 209 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The Court has reviewed Magistrate Judge Sarah Netburn’s Report and Recommendation (the “Report”) following an inquest on damages in this case, and adopts the recommendation of the Report as to the award of damages.

Plaintiff sued upon the breach of a shipping agreement and was subsequently awarded default judgment based on Defendant’s failure to appear. Following the default judgment, Plaintiff commenced an inquest on damages and submitted Proposed Findings of Fact and Conclusions of Law “to which MSL failed to respond.” (Report at 1). The Report articulated the basis for Defendant MSL’s liability as well as the reasonableness of the recommended damages award based upon Plaintiff’s submissions. Specifically, the Report recommends an award of \$164,692.70 (comprising \$158,300.50 in principal damages, \$5,929.50 in attorneys’ fees, and \$462.70 in costs), plus pre-judgment and post-judgment interest.

No party filed a timely objection to the Report; therefore, the Court reviews it for clear error. *See* Fed. R. Civ. P. 72(b), Advisory Committee’s Notes (1983) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *see also Borcsok v. Early*, 299 F. App’x 76, 77 (2d Cir. 2008) (“The District Court then reviewed the magistrate judge’s report and

recommendation for clear error and, finding none, adopted the report in full.”). Magistrate Judge Netburn’s well-reasoned Report presents no such errors and is therefore fully adopted by this Court.

The Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: New York, New York
September ~~23~~, 2013



J. PAUL OETKEN
United States District Judge